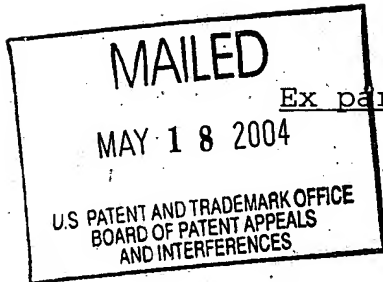


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte FRANCO LEONARDI, JOHN MATTHEW GINDER
and ROBERT CORBLI McCUNE

Application No. 10/064,583

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 4, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an amendment on July 14, 2003. Although the copy of the claims in the Appendix to appellants' Appeal Brief filed on January 23, 2004 reflect the claims in the amendment filed on July 14, 2003, a review of the file reveals that there is no written communication from the examiner notifying appellants as to whether or not the amendment filed on July 14, 2003 has been entered.

Application No. 10/064,583

Accordingly, it is

ORDERED that the application is returned to the examiner to

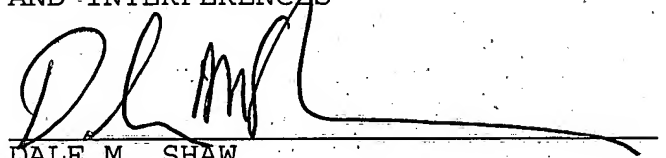
(1) notify appellants in writing as to whether the amendment filed on July 14, 2003 has been entered and, if so,

(2) to physically enter said amendment and

(3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


DALE M. SHAW
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(703) 308-9797

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DMS/clm/ts
RA04-0543